# TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No. 304	_Departme	ent or Agency	Alabama Elect Licensure	ronic Security	<u>3oard of</u>
Rule No	304-X-	103	· .		
Rule Title:	Fees				
New _	<u> </u>	Amend	Repeal	Adopt by Rel	erence
Would the absenc	•		-	Ye	æ
-	·		·		<u></u>
Is there a reasona state's police power					
public health, safety, or welfare?				Ye	<u>s</u>
Is there another, le	ess restrict	ive method of	•		
regulation available that could adequately protect				<b>.</b> .	·_
the public?				<u>N</u>	<u>o</u>
Does the propose or indirectly increa				·	
services involved	and, if so,	to what degree?	>	<u>N</u>	<u>o</u>
Is the increase in opublic than the ha	cost, if any	, more harmful ght result from t	to the he		
absence of the pro	posed rul	e?			
Are all facets of th solely for the purp	e rulemaki ose of, and	ng process des I so they have,	igned as		
their primary effec		Ye	<u>s</u>		
*****	****	*******	************	**	•
Does the propose	d rule have	an economic i	mpact?	<u>N</u>	<u>o</u>
If the proposed rul note prepared in a	e has an e	conomic impac with subsection	t, the proposed rule n (f) of Section 4122	is required to be ac 223, Code of Alaban	companied by a fiscal na 1975.
*******	*****	*******	******		
Certification of Au	thorized O	fficial		•	
Chapter 22, Title 4	1, Code o	f Alabama 1975	been proposed in fu , and that it conform jislative Reference S	is to all applicable f	he requirements of illing requirements of the
		1		1 /	•
Signature of certify	ing officer	Zign	ne Ja	unto	<u></u>
Date June	16, 2016	3//	(		

(DATE FILED) (STAMP)

# ALABAMA ELECTRONIC SECURITY BOARD OF LICENSURE NOTICE OF INTENDED ACTION

**AGENCY NAME:** 

Alabama Electronic Security Board of Licensure

**RULE NO. & TITLE:** 

304-X-1-.03 Fees

INTENDED ACTION:

**To Amend Rule** 

## **SUBSTANCE OF PROPOSED ACTION:**

In order to comply with ACT 2013-221, amend code to include a reduction in fees for a Qualifying Agent from \$75 annually to \$25 annually with a maximum of \$75. Also, to exclude antiquated language regarding the phasing in of the two-year licensing period and the fees involved. Also, to include language regarding Monitoring Stations.

### TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments may be submitted to: Alabama Electronic Security Board of Licensure, 7956 Vaughn Road, PMB 392, Montgomery, AL 36116.

Public Hearing: Tuesday, August 16, 2016, 9:30 a.m., Alabama Industrial Development Training Center, One Technology Court, Montgomery, AL

#### FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 16, 2016

#### **CONTACT PERSON AT AGENCY:**

Lynne Taunton, Executive Secretary Alabama Electronic Security Board of Licensure 7956 Vaughn Road, PMB 392 Montgomery, AL 36116. Telephone # 334-264-9388.

\_ynne Taunton, Executive Secretary

### 304-X-1-.03 <u>Fees.</u>

(1) Fees are to be paid to the Board of Licensure by certified cashier's check or by money order:

Administrative Fee

\$150.00 One time fee upon the first

application or late renewal

Partnership or Sole Proprietorship

\$150.00 Annually

Company or Corporation

\$200.00 Annually

**Branch Location** 

\$200.00 Annually

Qualifying Agent (the person responsible)

\$25 Annually per

classification, maximum \$75

Annually

Classification Registrant / Individual

\$25.00 Annually

Lost/Replacement ID Card

\$12.50 Issued

Return Check

Maximum amount allowed by

law

Monitoring Station Annual Fee

Company License Fee \$200.00, Plus \$12.50 per monitoring operator.

(2) Effective for licensing year beginning January 1, 2014, this board will phase in a licensing fee for a two-year period. For license year 2014, all companies with a name beginning A through H and these company employees shall apply for a one-year license with annual fees. All companies with the name beginning I through Z and these company employees shall apply for a two-year license with double the annual fees. Beginning January 1, 2015, and thereafter, all companies and employees will apply for a two-year license with double the annual fees.

(3) (2) Fees are to be paid to the Alabama Bureau of Investigation (ABI) by certified cashier's check or money order:

Fee for processing New Applicant FBI criminal background report

Range from \$41.50 to \$61.00

Fee for processing criminal background report from ABI Form-46

Range from \$25.00 to \$32.00

- (4) (3) If the applicant fails to renew license within 30 days of expiration, he or she must reapply as a new applicant.
- beginning A through H or a new applicant at a company with a name beginning A through H that applies for a new license after July 1st is required to pay only one half of the annual fees and that applicant's license will expire on December 31st of that year. A new company with a name beginning I through Z or a new applicant at a company with a name beginning I through Z that applies for a new license after July 1st is required to pay one and one half of the annual fees and that applicant's license will expire on December 31st of the next year. New companies will, also, pay the administrative fee.
- (6) (4) Effective for licensing year 2015, when all licenses will be on a two-year basis, a new company or new applicant's fees will determine based on the date of the application according to the following schedule: (a) If applying prior to or in the first six months of the two-year, the fees will double the annual fees. (b) If applying in the second six months of the two-year term, the fees will be one and one-half times the annual fees. (c) If applying in the third six months of the two-year term, the fees will be one-half of the annual fees.
- (7) (5) All companies, unless specifically exempt by Chapter 1A of Title 34, Code of Ala. 1975, which sell, install, monitor or otherwise operate in the burglar alarm, electronic access control, monitoring station. CCTV, or locksmith business in the State of Alabama must obtain a license from this Board in a timely manner or shall be subject to the following monetary penalties:
- (a) Companies which are currently in the burglar alarm, electronic access control, <u>monitoring station</u>, CCTV, or locksmith business and do not renew a license by the licensee's designated expiration date (as evidenced by the postmark date) shall be required to submit a new applicant application and shall pay all applicable fees.
- (b) Companies which are currently in the burglar alarm, electronic access control, monitoring station. CCTV, or locksmith business and do not renew an expired license by March 31<sup>st</sup> of the current renewal period shall be assessed a \$500.00 penalty.
- (c) Companies which are currently in the burglar alarm, electronic access control, monitoring station, CCTV, or locksmith business and do not renew an expired license by May 31<sup>st</sup> of the current renewal period shall be assessed a \$1,000.00 penalty.
  - (d) Monetary penalties may be imposed and collected by the staff.

- (e) All monetary penalties must be individually approved by the Board at the next official Board meeting following staff notification.
- (f) Following notice of an assessed monetary penalty, a licensee and/or Qualifying Agent (QA) must make a written and /or in person appeal of extenuating circumstances for non-licensure or late renewal to the Board at the next meeting. If no appeal is provided to the Board at its next official meeting, the monetary penalty shall be due and payable.
- (g) The Board may reduce or cancel any monetary penalty following an appeal hearing.

Author:

Fred Crawford

Statutory Authority: Code of Ala. 1975, § 34-1A

History:

New Rule: Filed January 20, 1998; effective February 24, 1998.

Amended: Filed April 26, 2000; effective May 31, 2000. Amended: Filed May 25, 2004; effective June 29, 2004.

Amended: Filed November 13, 2007; effective December 18, 2007.

Amended: Filed November 21, 2008; effective December 26, 2008.

Amended: Filed February 18, 2010; effective March 25, 2010.

Filed August 20, 2010; effective September 24, 2010.

Amended: Filed November 14, 2011; effective December 19, 2011.

Amended: Filed May 28, 2013; effective July 2, 2013.

Amended: Filed November 19, 2013; effective December 24, 2013.

Amended: Filed May 27, 2014; effective July 1, 2014.

Amended: Filed November 19, 2014; effective December 24, 2014.

**Amended:** Filed June 16, 2016